

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard B. Merrill, et al.

Serial No. 09/121,175

Filed: July 22, 1998

For: MULTIPLE STORAGE NODE
ACTIVE PIXEL SENSORS

) Art Unit: 2712

) Examiner:



Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

PETITION FOR CORRECTION OF INVENTORSHIP
IN A PATENT APPLICATION (37 CFR §1.48)

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Sir:

Your petitioner, Foveon Corporation, assignee of the entire right, title, and interest in the above-identified patent application, hereby petitions the Honorable Commissioner to correct the inventorship of the above-identified application by adding Mr. Jeffrey A. Dickson as an inventor.

As shown by the accompanying verified statement by the originally-named inventors, the non-joinder of an inventor occurred through error and without deceptive intent.

The invention of the subject matter of the above identified patent application occurred during March and April of 1998. During that time, Jeffrey A. Dickson worked as a consultant for Foveon, and occasionally traveled to Foveon to work with the named inventors, who are Foveon employees. Mr. Dickson, however, was and is now an

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employee of the California Institute of Technology and resides in Southern California. It was understood by Foveon and the named inventors at the time of invention that Mr. Dickson was also an inventor.

The erroneous non-joinder of Mr. Dickson as an inventor occurred during July, 1998, when the above-identified patent application was prepared and filed. Mr. Dickson was not present at Foveon during July, 1998, and the named inventors at that time overlooked his contribution and failed to include Mr. Dickson's name in the patent application as an inventor.

This error was discovered during a telephone conversation on or around July 7, 1999, between Mr. Dickson and Carver A. Mead of Foveon. During that conversation, Mr. Dickson inquired as to the status of any patent applications related to the invention made during March and April of 1998. Mr. Mead noted that a patent application had been filed, but that Mr. Dickson was not named as an inventor on the application. Mr. Mead then inquired with the named inventors at Foveon as to Mr. Dickson's status as an inventor. The named inventors recalled that Mr. Dickson is an inventor and realized that Mr. Dickson's name had inadvertently been excluded from the patent application. The named inventors then contacted the undersigned attorney to request that the inventorship of the patent application be corrected to include Mr. Dickson.

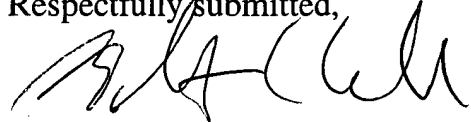
Accordingly, it is hereby acknowledged that Jeffrey A. Dickson is an inventor of the subject matter claimed in the above-identified patent application, and a favorable consideration of this Petition is respectfully requested.

Transmitted herewith, please find a Verified Statement by the originally-named inventors, a Consent of Assignee to Correct Inventorship, and an Oath and Declaration executed by all of the inventors pursuant to 37 C.F.R. §1.63.

Pursuant to the provisions of 37 C.F.R. §1.17(h), a check in the amount of \$130.00 is enclosed for the petition fee.

Dated: 09/16/99

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. C. Hall', written over a horizontal line.

Robert C. Hall
Reg. No. 39.209